

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

GENERAL STAR INDEMNITY)	
COMPANY)	
)	
Plaintiff,)	
)	Civil No. 2001-188
v.)	
)	
VIRGIN ISLANDS PORT)	
AUTHORITY,)	
)	
Defendant.)	
_____)	

ATTORNEYS:

Felice M. Quigley, Esq.
St. Croix, V.I.
For the Plaintiff.

Henry V. Carr, III, Esq.
St. Thomas, V.I.
For the Defendant.

ORDER

GÓMEZ, C.J.

Before the Court is the motion of the plaintiff General Star Indemnity Company ("General Star") for reconsideration of this Court's December 19, 2007, Order denying General Star's motion for attorneys' fees and costs.

The Virgin Islands Port Authority ("VIPA") was insured by General Star under several insurance policies. General Star brought this action against VIPA, seeking a declaratory judgment that the insurance policies did not afford coverage for claims

made against VIPA in other litigation (the "Yellow Cedar Litigation"). General Star moved for summary judgment against VIPA. This Court granted General Star's motion with respect to the issue of General Star's duty to defend or indemnify VIPA in the Yellow Cedar litigation, and declared that General Star owed no such duty.

Thereafter, General Star filed a motion seeking reimbursement for \$197,688.09 in attorneys' fees and costs incurred in its defense of VIPA in the Yellow Cedar Litigation, not the above-captioned action. On December 19, 2007, the Court entered an Order denying General Star's motion. On January 9, 2008, General Star filed the instant motion for reconsideration of the December 19, 2007, Order.

Under Local Rule of Civil Procedure 7.4 ("Local Rule 7.4"), a party may file a motion for reconsideration "within ten (10) days after the entry of the order or decision." LRCi 7.4 (2000).¹

Here, the deadline for filing a motion for reconsideration of the December 19, 2007, Order expired on January 8, 2007. See Fed. R. Civ. P. 6(a) (2007); LRCi 6.1 (2000). Because General

¹ Since the filing of General Star's motion for reconsideration, Local Rule 7.4 has been succeeded by Local Rule of Civil Procedure 7.3 ("Rule 7.3"). Like its predecessor, Local Rule 7.3 requires that motions for reconsideration be filed within ten days after the entry of the order sought to be reconsidered. See LRCi 7.3 (Jan. 25, 2008).

Star's motion for reconsideration was not filed until January 9, 2007, the motion is untimely. Furthermore, General Star has not moved for leave to file its motion out of time. Accordingly, it is hereby

ORDERED that General Star's motion for reconsideration is **DENIED**.

Dated: March 28, 2008

S_____
CURTIS V. GÓMEZ
Chief Judge

copy: Hon. Geoffrey W. Barnard
Felice M. Quigley, Esq.
Henry V. Carr, Esq.
Carol C. Jackson
Lydia Trotman
Claudette Donovan
Olga Schneider
Bailey Figler, Esq.